

TOWN OF ARLINGTON
TOWN MEETING PROCEDURES COMMITTEE

September 25, 2023

Call to Order

The meeting of the Town Meeting Procedures Committee was called to order by Town Moderator Greg Christiana on Wednesday, March 2, 2023, at 7:35 p.m. via the Town's Zoom channel.

Quorum

A quorum was present: Adam Auster, Greg Christiana, Rebecca Gruber, Christopher Moore, and John Worden.

Hybrid Meeting

Mr. Christiana said that remote participation in the meeting was authorized by the Commonwealth of Massachusetts.

Public Comment

No Comments

There were no other persons present or remotely present.

Disposition of Minutes

Mr. Moore moved to approve the draft minutes of the August 2, 2023, meeting, with the following correction under "Documentation of Procedures":

- Add "version August 2nd 2023" to the reference to "Town Meeting Guidelines [DRAFT]"

Ms. Gruber seconded the motion.

The motion passed unanimously.

New Business

*MBTA
Communities
Process*

Mr. Auster proposed a way to structure consideration of the Redevelopment Board's recommended compliance with the MBTA Communities Act at the upcoming special town meeting.

He suggested periods of informal and formal consideration, with a break in between.

Amendments

He also suggested that if Town Meeting wants to make changes to the Board's recommendation, it should do so by referring the question back to the Board.

*Informal and
Formal
Consideration*

Such a motion could ask the Board to revise the proposal along specific lines and return it to the special town meeting.

Mr. Auster referred to “Proposal: Informal Consideration vs. Regular Consideration” as an example of a rule that would enable Town Meeting to consider the proposal in stages. A copy of this proposal is appended to these minutes.

Discussion touched on the roles of Town Meeting and the Redevelopment Board, the options available to the Moderator, and the extent to which it may be advisable to depart from our regular way of doing business.

Mr. Christiana said he would take the ideas under advisement.

*Town Meeting
Guidelines*

Mr. Christiana shared “Town Meeting Guidelines [DRAFT]” dated August 2. A copy of this document is appended to these minutes.

He said he wanted to share these guidelines with members before the special town meeting, to explain how he intends to run the meeting.

Consent Agenda

He told the Committee that there probably would not be a consent agenda for the special town meeting, and that he might omit that section from the information he shares this fall.

*Distribution of
Proposed
Amendments*

In response to a question, Mr. Christiana said he would add to the guidelines information about using a Town copier to print the proposals he requires be distributed to Town Meeting members in order to be considered.

Committee members discussed the organization of the guidelines and the value of explaining these procedures to Town Meeting members. They identified areas where clarification or elaboration could be helpful.

*MOTION:
Adjournment*

Mr. Moore moved that the meeting adjourn.

Ms. Gruber seconded the motion.

Adjournment

The meeting adjourned at 9:23 p.m.

Adam Auster
September 26, 2023

Documents attached to these minutes:

1. Notice of meeting
2. “Proposal: Informal Consideration vs. Regular Consideration”
3. “Town Meeting Guidelines [DRAFT]”

Town Meeting Guidelines [DRAFT]

Author: Greg Christiana
, Arlington Town Moderator

Initial draft presented to Town Meeting Procedures Committee: July 19, 2023

Updated draft: September 17, 2023

Consent Agenda [DRAFT]

The Consent Agenda is a means of grouping several articles together so that Town Meeting can act on them with less procedural overhead than if the articles were handled in the normal sequential manner. This mechanism was introduced at Town Meeting in recent years to address recurring business and general housekeeping to reduce the amount of time spent on noncontroversial articles. The choice of whether to use a Consent Agenda is at the Moderator's discretion. E.g. a Consent Agenda may be unhelpful for a Warrant with relatively few qualifying articles, as is often the case with Special Town Meetings. The remainder of this section applies to Town Meetings for which the Moderator has decided to use a Consent Agenda.

A preliminary Consent Agenda will be produced by the Moderator in consultation with the Town Manager and chairs of reporting boards and committees. Reasons for including an article in the preliminary Consent Agenda include the following:

- The article's main motion is effectively an annually recurring motion that has been voted affirmatively by Town Meeting in the past by overwhelming margins.
- The article's main motion updates outdated references without substantially changing the meaning or intent.
- The article's main motion makes a clarifying change that the Moderator and reporting body expect to have minimal impact in practice.
- The article's main motion brings the Town into compliance with laws, local statutes, or other requirements with minimal anticipated impact in practice.
- The article is a Citizen's Petition with a recommended vote of "no action" and the petitioner does not intend to pursue a substitute motion.

Ultimately, inclusion of an article in the preliminary Consent Agenda is at the Moderator's discretion. **A document describing reasons for the inclusion of articles in the preliminary Consent Agenda will be published by the Moderator in advance of Town Meeting.** This document will provide contact information for each article so that Town Meeting Members and members of the public can inquire about Consent Agenda articles in advance.

Removal of articles from the Consent Agenda will be permitted only at Town Meeting. When the Moderator enumerates each article on the Consent Agenda, Town Meeting Members will have an opportunity to "hold" an article so that it is debated and voted separately at a later time. When a Town

Meeting Member requests a "hold," they must announce their name and precinct; if the held article has a recommended vote of "no action," the Moderator will ask if the Town Meeting Member intends to submit a substitute motion in advance of consideration of that article. (Note: recommended votes of "no action" have no scope for debate unless or until a substitute motion is offered within the scope of the Warrant Article text.)

After TMMs have had an opportunity to request articles to be held from the Consent Agenda, the meeting will vote on the final Consent Agenda.

The Consent Agenda is divided into parts, e.g. articles requiring a majority vote, articles requiring a two-thirds vote, and legislative articles that require some TMMs to recuse themselves to avoid a conflict of interest with their work outside of Town Meeting. A separate vote is taken for each part of the final Consent Agenda, with each vote applying to all articles in that part of the Consent Agenda.

Motions and Votes

Policies for Main Motions and Subsidiary Motions [DRAFT]

This section covers the following types of motions:

- main motions as initially defined by the recommended votes contained in the reports submitted by Town boards and committees to Town Meeting
- subsidiary motions brought by TMMs, most commonly:
 - motions to amend the main motion ("amendments")
 - motions to substitute the main motion ("substitute motions")

Motions brought before Town Meeting are expected to be introduced by at least one of the following methods:

1. **Electronic distribution with printouts provided at the meeting.** Motions submitted in advance may be published electronically in the Annotated Warrant and distributed to the TMM Email List by 5 pm on the business day before the meeting at which the motion is made – 5 pm Friday for a Monday meeting, 5 pm Tuesday for a Wednesday meeting, or a day earlier in the case of holidays. The Town will provide printed copies of these motions at the meeting during TMM check-in.
 - The only motions submitted by TMMs that will be distributed via the Annotated Warrant or the TMM Email List are motions for which the Moderator has made an affirmative decision in regard to scope. Such motions must be submitted to the Moderator at least two business days in advance of the meeting at which the motion is made (e.g. by Thursday evening for a motion expected at the meeting on the following Monday); it is highly recommended that motions be submitted further in advance to allow sufficient time for feedback and revisions in case initial submissions are determined to be out of scope. When a request or follow up is submitted by email to the Moderator, a response

can be expected within 24 hours. If the submission requires multiple rounds of feedback, expect multiple business days for review.

2. **Short motions from the floor of Town Meeting.** Motions may be made from the floor of Town Meeting without prior notice provided that the motion's language is plain text that does not exceed approximately 20 words.
3. **Printouts provided at the meeting with no prior public notice required.** Printed handouts containing the motion's language may be placed in a clearly designated "print-only motions" section of handouts at the back table for TMMs to acquire during check-in. Individual copies must be submitted to the Moderator, the Town Clerk, and Town Counsel in person before the start of the meeting at which the motion is made. (Note that TMMs who prefer electronic documents and generally skip the paper printouts should take one copy of each print-only motion so that they have the vote language available at the meeting, as it may not be feasible for it to be displayed in a way that is legible.)
 - The author of the print-only motion is responsible for bringing 300 printed copies to Town Meeting at least 30 minutes before the start of the meeting, and an additional 50 copies at subsequent meetings thereafter until the motion is voted by the meeting, unless the article is postponed and expected to be taken up at a later date. Alternatively, if the motion is not reached on the first night that it is made available, the author may submit the motion for review by the Moderator for scope so that it can be distributed electronically instead, as described above.
 - TMMs should retain their copies of these printouts in case the motion does not come up the first night it is made available.
 - This method of distribution is not recommended, but is permitted to cover cases that the other methods cannot accommodate.

All motions are subject to the Moderator's ruling on scope and order.

The Town Clerk or Moderator can provide TMMs with a Word Doc template in the correct format for the desired motion. Submitting a proposed motion as a Word Doc or PDF and emailing the Moderator, Town Counsel, and Town Clerk can speed up the review process.

Sequence of Motions [DRAFT]

Amendments and substitute motions must be voted before the motions that they amend or substitute. (See *Town Meeting Time*, §40.)

At the Moderator's discretion, multiple amendments that amend the same motion are voted generally in the order of broader, more significant changes before narrower, less significant changes.

Motions under an article will generally be considered in the following order:

1. Motions submitted to the Moderator in advance, provided there has been sufficient time for review and an affirmative decision by the Moderator on scope.

2. Motions made available via printouts prior to the start of the meeting at which the corresponding article is taken up.
3. Short motions made by speakers from the speaking queue.

Additionally, the Moderator routinely takes motions from other officers at the meeting, e.g. motions from the Chair of the Finance Committee to handle assorted bookkeeping.

In the case of multiple amendments or substitute motions under an article, the custom at Arlington Town Meeting deviates from standard practice. *Town Meeting Time*, §23, states: "No more than one motion of the same rank may be pending at one time." Since primary amendments and substitute motions all have the same rank, this rule suggests that any two of such motions cannot be pending at the same time. (A motion is pending from the moment it is moved to the moment that voting on the motion closes.) Arlington Town Meeting has a tradition of relaxing this rule so that all subsidiary motions under a given article are moved upfront, debated altogether, then voted in sequence after debate. (Primary amendments – the most common variety – are those that amend a main motion.)

This sequence of motions may be adjusted at the Moderator's discretion, especially in cases where an alternative sequence may result in greater clarity for the meeting.

Committee Reports and Recommended Votes [DRAFT]

One of the first articles in each Warrant is titled "Reports of Committees." Traditionally, an officer of the meeting – customarily the Finance Committee Chair – makes a motion under that article to put the recommended votes contained in committees' reports before the meeting without further motion. This saves the meeting time as it waives the requirement that the vote language of each recommended vote be read aloud in its entirety as the meeting takes up each article.

Committees' reports may contain recommended votes that represent the initial main motion under an article. Committees may submit supplemental reports to make additions and corrections to previously submitted reports. **The initial main motion for an article is determined precisely by the vote language contained in the report(s) received from that committee before the article comes before the Town Meeting.** If a committee wishes to amend their recommended vote after an article comes before the meeting, an amendment or substitute motion is required to do so, requiring a majority vote of Town Meeting.

Verbal reports to Town Meeting from boards and committees are limited to 4 minutes "unless prior to beginning, their presentation, the person requests of the Town Meeting a specific extension of time, and the request is granted by a majority vote of the Town Meeting members present and voting." (Town Bylaws, Title I Article 1 §7 part C)

Additional Materials [DRAFT]

Additional materials contain informational content that is relevant to the business of Warrant Articles that have not yet been disposed of. Note that motions such as amendments and substitute motions are covered in the section **Motions and Votes**. The Moderator determines whether materials are within scope of a given article.

Presentation Guidelines [DRAFT]

Charts, photos, and other visual information that is pertinent to an Article will be permitted at Town Meeting at the discretion of the Moderator, and if approved, presented through the Town's presentation system. Content should be formatted for an aspect ratio of 16:9 if possible.

Content with animations will not be permitted unless the animation is particularly relevant for conveying information or context to the meeting (simple slide-transition animations are acceptable but unnecessary). Please use large, easily legible fonts (preferably a simple sans-serif font such as Arial or Verdana) with high contrast between text and background colors so that participants in the back of Town Hall auditorium can read the text. Tables with several rows or columns may not be legible from the back of the auditorium. As a rule of thumb, slides with more than 8 lines of text are unlikely to be readable to participants in the rear of the auditorium.

Video presentations may be permitted if the video provides important context that would be infeasible to convey by other means (e.g. aerial view of a location from drone footage). Spoken audio must be delivered live and in person within the Town Meeting enclosure.

All presentation materials must be submitted electronically 2 business days in advance to the Moderator (GChristiana@town.arlington.ma.us) to assess whether content is within scope, appropriate, and compatible with the Town's presentation system.

Additional electronic material that is relevant to a Warrant Article but not intended for live presentation at Town Meeting can be submitted to the Moderator (GChristiana@town.arlington.ma.us) to be considered for inclusion in the Annotated Warrant. See Town Meeting Member Submission Guidelines at:
<https://www.arlingtonma.gov/town-governance/town-meeting/members-email-list>

All presentations must identify the article number and presenter at the top of the first page or on the first slide.

Electronically Distributed Materials [DRAFT]

Informational submissions to be included in the TMM Email List and Annotated Warrant may be made by chairs of Town boards or committees, the Town Clerk, the Town Manager, department heads, and Town Meeting Members submitting material within the scope of a Warrant Article that is not yet closed. (This is essentially the same set of people who can speak at Town Meeting and introduce guest speakers.) Town Meeting Members may submit materials that they have co-signed with residents. Material containing images or non-trivial formatting must be submitted in PDF format or other widely available document

formats; submissions may be converted to PDF when distributed or posted within the Annotated Warrant. Submissions are made to the Moderator who reviews and approves them.

The Moderator will exercise discretion over the appropriateness and relevance of the material for distribution, regardless of the source.

Once a submission related to a Warrant Article has been approved, it will be distributed to the TMM Email List and attached to the Annotated Warrant for that article under the Additional Materials section, listed after board reports and subsidiary motions.

Announcements and Resolutions [DRAFT]

Near the opening of the meeting each night, the Moderator will call for announcements and resolutions. Announcements are generally for sharing upcoming community events, forums, etc that are relevant to the community. The resolutions intended at this point in the meeting are "complimentary resolutions":

"Sometimes the town wishes to express its appreciation of some achievement or service on the part of a citizen, or sympathy on an illness or death. The opening of the meeting is the time for such expressions. No article is necessary." (*Town Meeting Time*, §16)

Complimentary resolutions are distinct from articles in the Warrant that are categorized as "resolutions."

Each announcement and complimentary resolution is limited to 4 minutes.

TODO: procedure for presentation material TBD procedure for presentation material TBD

Proposal: Informal Session vs Regular Consideration

To consider [Article X] under the following rules:

1. The purpose of these rules is to facilitate Town Meeting's full understanding of the proposal under the article, and to articulate and organize possible responses and amendments, before moving directly into consideration of those responses and amendments, if any.
2. Consideration shall be divided into an informal session followed by regular consideration.
3. Following the initial presentation from the referring committee, Town Meeting members may ask questions and/or make brief statements of intent, limited to one minute. Responses to questions as directed by the Moderator, including implied questions that may be articulated by the Moderator, shall not be limited.ⁱ
4. Members recognized during the informal session shall retain their rights to speak for up to 7 minutes during regular consideration.
5. Except for responses recognized by the Moderator, participation in the informal session shall be limited to Town Meeting members.
6. During this informal session, no motions shall be in order other than a motion to adjourn the informal session. This motion shall be decided by a majority vote with no debate.
7. Upon adjournment of the informal session, the Town Meeting may consider any other business in the Warrant. However, when all such business has been concluded, and notwithstanding any previous motions setting the time to which to adjourn, the Town Meeting shall adjourn to Monday, October 23, at 7 p.m., or to such time that Town Meeting shall subsequently designate.ⁱⁱ
8. Regular consideration of matters under the article shall proceed in the usual way, except that the report of the referring committee shall not be repeated.
9. In between the adjournment of the informal session and the commencement of regular consideration, proponents of amendments addressing like aspects of the proposal from the referring committee are encouraged to meet and

coordinate and, if appropriate, consolidate their efforts. The Moderator may appoint conveners for such meetings.

Rationale

Town Meeting will begin with a wide disparity of knowledge about the proposal and possible amendments. Some members have been following this closely but others will be starting from scratch.

This process introduces a pause to let everyone get on the same page about what the proposal actually does. It also creates space in which proponents of amendments may self-organize, with the potential benefit of an orderly consideration by Town Meeting.

ⁱ Example of an “implied question”:

Member: I am opposed to any bylaw that allows a developer to take someone’s home by eminent domain.

Moderator: For Town Counsel, would anything in the proposal allow developers to take property by eminent domain?

ⁱⁱ Note “previous” and “subsequently.” If Town Meeting adopts the rule after the usual motion to fix the time to which to adjourn, it overrides that time. But if Town Meeting subsequently adopts another motion setting the time, *that* becomes the new time. So, Town Meeting can rearrange things if it likes.

The idea is to create a pause in which members can consider their responses.